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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/630,808

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Takeshi Iwami

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EXAMINER

MCLEAN, NEIL R

ART UNIT

PAPER NUMBER

2625

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/630,808	<b>Applicant(s)</b> IWAMI ET AL.	
	<b>Examiner</b> Neil R. McLean	<b>Art Unit</b> 2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 4, 28-30, 32, 34-36, 39 and 41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4, 28-30, 32, 34-36, 39 and 41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/10/2010 has been entered.

### ***Status of Claims***

2. Claims 4, 28-30, 32, 34-36 and 39 and 41 are pending in this application.  
Claims 4 and 32 have been amended.  
Claims 11, 37, 40 and 42 have been canceled.

### ***Response to Arguments***

3. Applicant's arguments filed 9/16/2009 Applicant's arguments with respect to claims 4, 28-30, 32, 34-36 and 39 and 41 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 28-30, 32, 34-36 and 39 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US 6,104,886) hereinafter 'Suzuki', in view of Fritz et al. (US 7,324,226) hereinafter 'Fritz' and further in view of Gennetten et al. (US 7,119,835) hereinafter 'Gennetten'.

Regarding Claim 4: (Currently Amended)

Suzuki discloses a digital camera (101 in Figures 1 and 2) which has a memory for storing images (ROM 5), can be directly connected (Communication Cable 23 in Figures 1 and 2) to a printer (102 in Figures 1 and 2), and has a function of directly transmitting an image to the printer (Figure 2), comprising:

a selection unit configured to select an image to be printed from among images stored in the memory (e.g. switches 12b and 12c for selecting image frames to be displayed as described in Column 4, lines 29-31), after communication between the digital camera and the printer is established (a connection confirmation signal is sent from the printer to the camera and a response signal is sent to the printer; Column 6, lines 13-18);

a print instruction transmitting unit (The communication driver 11 is connected to a communication driver 13 of the digital color printer 102 via the communication cable 23; Column 4, lines 42-45) configured to transmit, to the printer, a print instruction indicating that the image

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selected by said selection unit is to be printed (Print start switch 22 operated by the operator to instruct start of print; Column 5, lines 3-7);

an image transmitting unit (communication between the communication drivers 11 and 13 may be established not only by the communication table 23 but also by other conventional communication means such as infrared or radio communication; Column 5, lines 11-15) configured to transmit, in response to receiving from the printer a request for transmitting the image to be printed, the requested image to the printer (The CPU 14 of digital color printer 102 receives image file data from the camera 101; Column 5, lines 48-50);

a reception unit configured to receive from the printer a message indicating the status of the printer (e.g. Figure 7; STEP S58 'DISPLAY COMMUNICATION ERROR'; LCD Display 7 of the camera); and

a control unit (CPU 4 of Camera) configured to in response to receipt by said reception unit of a reception end message indicating that all data of the image to be printed was received by the printer (Figure 7; STEP S55 'IS RECEPTION IN PRINTER COMPLETED?'), keep the communication connection between the digital camera and the printer (wherein the auto-power-off function is disabled during a process of printing the image information by the printer, and enabled after the process of printing the image information by the printer is finished; Claim 1)

until the communication connection between the digital camera and the printer is disconnected by the user's operation or said reception unit receives a print completion message indicating that the print process of the image has been completed (wherein the auto-power-off function is disabled during a process of printing the image information by the printer, and enabled after the process of printing the image information by the printer is finished; Claim 1), and

in response to receipt by said reception unit of the print completion message during the communication when the digital camera is connected to the printer, stop the message display by said display unit, display an image and enable the selection of another image to be printed by said selection unit (Figure 4b: STEP S19; Once the printing of the one screen is finished, the display on the camera is turned on and the next screen is set in the state selectable by the user; Column 7, lines 54-58).

Suzuki does not disclose expressly **the displaying of a message** on the display unit indicating that the communication between the digital camera and the printer can be disconnected by a user's operation and the digital camera is ready to photograph before completion of a print process by the printer of the image to be printed.

Fritz discloses **the displaying of a message** on the display unit a indicating that the communication between the digital camera and the printer can be disconnected by a user's operation and the digital camera is ready to photograph before completion of a print process by the printer of the image to be printed (Processing Unit 402 and Printer 403 of Figure 4). In his example Fritz discloses a pc connected to a printer. The Examiner is interpreting that a processing device could also include a digital camera which is also a 'processing device'. Fritz discloses wherein the printer can give a note to the user of the processing unit, e.g., by presenting the note on a screen of the PC (Column 5, lines 57-63). Fritz further discloses wherein a message comprising a request to disconnect a session can be sent to the user (The message comprising a request to disconnect; Column 6, lines 17-22). Fritz & Suzuki are combinable because they are from the same field of endeavor of image processing; e.g. both references disclose methods of transferring image data

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between two devices. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to inform the user that it is ok to disconnect the connection between the camera and the printer. The suggestion/motivation for doing so is to allow the user to disconnect any cables or to move on to another task instead of waiting for the printer to finish printing. If the printer had a lot of data to print and the user had to wait until the printer is done printing, considerable time would be wasted by the user. Therefore, it would have been obvious to combine Fritz's method of informing the user it is ok to disconnect with Suzuki's digital camera and printer to obtain the invention as specified.

Suzuki and Fritz disclose substantially the invention of Claim 1, but they do not expressly disclose a display unit that displays an image stored in memory. Gennetten discloses a display unit that displays an image stored in memory (e.g., The UI of camera 1 has the capability to start and stop a slide-show of images stored in the memory of the camera. This slide-show can be configured as the default mode of the camera. However, the camera can be programmed to display the images in any sequence; Column 6, lines 15-21)

Suzuki, Fritz & Gennetten are combinable because they are from the same field of endeavor of image processing; e.g., all three references disclose methods of transferring image data between two devices. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to disclose a display unit that displays an image stored in memory. The suggestion/motivation for doing so is to eliminate having to use a computer to view the photos. Gennetten discloses that a user does not have to power up a computer or even know how to use a computer (which

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allows non-computer user an entry to digital photography); (Column 5, lines 57-59).

Therefore, it would have been obvious to combine Suzuki and Fritz's digital camera with Gennetten's camera which functions as a display device to obtain the invention as specified to provide a visual image browser for images already stored on the device.

Regarding Claim 28: (Previously Presented)

Suzuki further discloses the digital camera according to Claim 4, wherein said control unit displays information indicating that the user may disconnect the digital camera and the printer may operate the digital camera for sensing an image in response to receiving the reception end message from the printer (Figure 4b: STEP S19; Once the printing of the one screen is finished, the display on the camera is turned on and the next screen is set in the state selectable by the user; Column 7, lines 54-58).

Regarding Claim 29: (Previously Presented)

Fritz further discloses the digital camera according to Claim 4, wherein the digital camera and the printer are connected by a cable, and said control unit displays information indicating that the cable can be disconnected in response to receiving the reception end message from the printer (Fritz further discloses wherein a message comprising a request to disconnect a session can be sent to the user (Column 6, lines 17-22).

Regarding Claim 30: (Previously Presented)

Fritz discloses wherein the digital camera and the printer are connected via a wireless, and said display unit displays information indicating that the camera can be



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brought outside a wireless communication area of the printer in response to receiving the reception end message from the printer (Fritz further discloses wherein a message comprising a request to disconnect a session can be sent to the user (Column 6, lines 17-22).

Regarding Claim 39: (Previously Presented)

Fritz further discloses the digital camera according to Claim 4, wherein, after the printer sends to the digital camera the reception end message indicating that all data of the image to be printed was received by the printer, the printer continues the print process until the print process for the image to be printed is completed (Fritz further discloses wherein a message comprising a request to disconnect a session can be sent to the user (Column 6, lines 17-22).

Regarding Claims 32, 34-36 and 41:

The proposed combination of Suzuki, Fritz & Gennetten, explained in the rejection of the digital camera device of claims 4, 28-30 and 39, renders obvious the steps of the method of claims 32, 34-36 and 41 because these steps occur in the operation of the proposed combination as discussed above. Thus, the arguments similar to that presented above for claims 4, 28-30 and 39 are equally applicable to claims 32, 34-36 and 41.

***Conclusion***

***Examiner Notes***

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6. The Examiner cites particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully considers the references in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or as disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neil R. McLean whose telephone number is (571)270-1679. The examiner can normally be reached on Monday through Friday 7:30AM-4:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571.272.7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Neil R. McLean/  
Examiner, Art Unit 2625

/Mark K Zimmerman/  
Supervisory Patent Examiner, Art Unit 2625